GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Rules - Andhra Pradesh Prohibition (Compounding of Offences) Rules, 2000 - Amendments – Orders – Issued.
-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x-x

REVENUE (EXCISE) DEPARTMENT

G.O.MS.No.417 **Dated:29.08.2023**
Read the following:-

1. G.O.Ms.No.496, Revenue (Excise-III) Dept., Dated:25.07.2000.
2. The A.P Gazette Part IV-B Extraordinary No.5, dated 19.04.2023.
3. From the Commissioner of Prohibition and Excise, A.P., Cr.No.3475/2023/CPE/E3,Dated.15.05.2023.

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ORDER:

The following Notification will be published in an Extra-ordinary Issue of the Andhra Pradesh Gazette, dated the 29th day of August, 2023.

NOTIFICATION

In exercise of the powers conferred by sub- section (1) of section 33 of the Andhra Pradesh Prohibition Act, 1995 (Andhra Pradesh Act 17 of 1995), the Government hereby makes the following amendments to the Andhra Pradesh Prohibition (Compounding of Offences) Rules, 2000 as subsequently amended from time to time.

AMENDMENTS

In the said rules,

(1) In Rule 4,-

(i) In sub-rule (i), for the words "Deputy Commissioner of Prohibition & Excise", the words "Commissioner of Special Enforcement Bureau" shall be substituted.

(ii) In sub-rule (ii), the following shall be substituted:

The Deputy Commissioner of Prohibition & Excise, or the Deputy Commissioner of Special Enforcement Bureau, or District Special Enforcement Officer of Special Enforcement Bureau, or District Prohibition and Excise Officer is empowered to compound the offences falling under clause (a) or sub-clause (i) of clause (b) of Section 8 where no vehicles are involved and Section 9 of the AP Prohibition Act, 1995.

Provided that prior approval of the Commissioner of Prohibition & Excise and/ or Commissioner of Special Enforcement Bureau shall be obtained before compounding the offences committed under sub-clause (i) of clause (b) of Section 8 of the Act.

(iii) for the rule-7, the following shall be substituted, namely,-

Release of Vehicles Confiscated:-

(1) The Commissioner of Prohibition & Excise or the Commissioner of Special Enforcement Bureau concerned may accept a sum of money not exceeding its market value as on the date of its seizure in lieu of confiscation and release the vehicle or material reasonably suspected of involvement in any offence falling under the Act.

Provided that the Commissioner of Prohibition & Excise or the Commissioner of Special Enforcement Bureau concerned may order permitting the Department concerned to make use of any vehicle so confiscated after due conclusion of appeals, if any.

(2) The Deputy Commissioner of Prohibition & Excise or Deputy Commissioner of Special Enforcement Bureau or Superintendent of Police concerned may accept the amount equivalent to ten percent of the market value in lieu of confiscation, where animals or vessels or carts reasonably suspected of involvement in any of the offences falling under sub- clause (i) of clause (b) of section 8 of AP Prohibition Act, 1995 and release the same to the owner.

(2) for SCHEDULE (See Rule-5), the following SCHEDULE shall be substituted, namely,-

S. No.	Provision in the Act under which the offence Falls	Nature of offence	Minimum Compounding Fee
(1)	(2)	(3)	(4)
1	Section 8 (a)	Consumes any liquor except in accordance with the provisions of A.P. Prohibition Act, 1995 or A.P. Excise Act, 1968	Rs.50/-
2	Offences committed for the first time falling under Section 8 (b)(i) during the period from 16.05.2020 to till the date of Notification issued under the same clause(i)	Possesses, collects, buys, sells, transports, Produces, or manufactures any liquor except in accordance with the provisions of A.P. Excise Act, 1968 (Act No. 17 of 1968) or any Rule, Notification or order, license or permit issued there under where the liquor involved in the offence is less than the quantity notified. a) Liquor/Beer for which duty/tax paid in the state of Andhra Pradesh b) Liquor/Beer for which no duty/tax has been paid in the state of Andhra Pradesh	 -->A sum not less than three times of the value of the liquor/Beer involved. -->A sum not less than five times of the value of the liquor/Beer involved
3	Section 9	Being found in a state of intoxication in any public place otherwise than as permitted under law.	Rs.100/-

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner, Printing & Stationery and Stores Purchase Department, A.P., Vijayawada.

The Commissioner of Prohibition and Excise, A.P., Vijayawada.
The Commissioner, Special Enforcement Bureau, A.P., Mangalagiri.
The General Administration(SEB) Department, A.P. Secretariat.

Copy to:

The P.S. to Hon'ble Deputy Chief Minister (Excise).
The P.S. to the Special Chief Secretary to Govt. Revenue (P&E) Department.
SF/SC.

// FORWARDED BY ORDER//

S.E Aravind

SECTION OFFICER.